

GENERAL ASSEMBLY COMMONWEALTH OF KENTUCKY

2013 REGULAR SESSION

HOUSE BILL NO. 238 AS ENACTED	_
MONDAY, MARCH 11, 2013	

RECEIV DATE Mar	ED AND FILED 22, 2013
3:01pm	
ALISON LUN SEGRET	NDERGAN GRIMES ARY OF STATE NUTTH OF KENTUCKY

- 1 AN ACT relating to the Court of Justice, making an appropriation therefor, and
- 2 declaring an emergency.
- 3 Be it enacted by the General Assembly of the Commonwealth of Kentucky:
- 4 → Section 1. KRS 401.010 is amended to read as follows:
- 5 Any person at least eighteen (18) years of age may have his <u>or her</u> name changed by the
- 6 District Court of the county in which he or she resides. If he or she resides on a United
- 7 States Army post, military reservation or fort his <u>or her</u> name may be changed by the
- 8 District Court of any county adjacent thereto.
- 9 → Section 2. KRS 401.020 is amended to read as follows:
- Both parents, provided both are living, or one (1) parent if one (1) is deceased, or if no
- parent is living, the guardian, may have the name of a child under the age of eighteen (18)
- changed by the District Court, or if the Family Court or Circuit Court has a case before
- 13 it involving the family, the Family Court of a county with a Family Court, or the
- 14 Circuit Court of a county without a Family Court of the county in which the child
- 15 resides. However, if one (1) parent refuses or is unavailable to execute the petition, proper
- 16 notice of filing the petition shall be served in accordance with the Rules of Civil
- 17 Procedure. If the child resides on a United States Army post, military reservation or fort
- his <u>or her</u> name may be changed by the District Court, <u>or the Family Court of a county</u>
- 19 with a Family Court, or the Circuit Court of a county without a Family Court of any
- 20 county adjacent thereto.
- 21 → Section 3. KRS 401.030 is amended to read as follows:
- 22 The original name, age and place of birth, the name to which the change is made, and the
- 23 names of the infant's father and mother, if known, and of the person on whose motion the
- change is made shall be entered on the order book of the District Court, Family Court, or
- 25 Circuit Court in which the action was brought and is authorized to do so pursuant to
- 26 Section 2 of this Act.
- → Section 4. KRS 401.040 is amended to read as follows:

- 1 (1) If the District Court, Family Court, or Circuit Court, as authorized by Section 2 of
- 2 <u>this Act</u>, orders any person's name to be changed under this chapter, a copy of the
- order shall be certified by the clerk of that court to the county clerk, for record.
- 4 (2) The county clerk shall keep an alphabetical index for each book of records, referring
- 5 to the page on which each person's name change appears, and giving the name from
- 6 and to which it is changed.
- 7 → SECTION 5. A NEW SECTION OF KRS CHAPTER 27A IS CREATED TO
- 8 READ AS FOLLOWS:
- 9 The Administrative Office of the Courts shall require that any updates to or
- 10 replacements of the centralized criminal history record information system established
- 11 by this chapter or any case management software utilized in the offices of the
- 12 Commonwealth's circuit clerks have the capability for those felony cases that reach
- final disposition with a conviction for a misdemeanor only to be redesignated with the
- same type of case designators as those used for cases that are initiated as misdemeanor
- 15 cases.
- Section 6. Notwithstanding any provisions of the Kentucky Revised Statutes to
- 17 the contrary, the State Property and Buildings Commission or the Kentucky
- 18 Asset/Liability Commission shall issue the agency bonds authorized in this Act on behalf
- of the judicial branch of the Commonwealth of Kentucky.
- → Section 7. There is hereby appropriated to the Judicial Branch from Restricted
- Funds \$3,229,400 in fiscal year 2013-2014 for debt service to support Agency Bonds as
- 22 set forth in this section. There is hereby authorized and appropriated \$28,100,000 in
- 23 Agency Bonds in fiscal year 2012-2013 for Phase I E-Case and Docket Management
- 24 system.
- Section 8. (1) It is the intent of the 2013 General Assembly that the Judicial
- 26 Branch should not base any decision to proceed with any capital project authorized in
- 27 Section 7 of this Act on an expectation of receiving General Fund moneys in future

- 1 biennia.
- 2 (2) All appropriations and authorizations to capital projects in Section 7 of this
- 3 Act shall expire on June 30, 2014, unless reauthorized.
- → Section 9. Whereas it is imperative that the commencement of this capital
- 5 project begin in fiscal year 2012-2013, an emergency is declared to exist, and this Act
- 6 takes effect upon its passage and approval by the Governor or upon it otherwise becoming
- 7 law.

Chief Clerk of House of Representatives 3-22-13 Date

Attest: